

REMARKS

A. Status of the Application

- Claims **12, 13, 17, 18, 22** and **34-52** are pending in the application, of which claims **12, 34** and **42** are independent claims.
- Claims **12, 13, 17, 18, 22** and **34-49** are amended.
- Claims **1-11, 14-16, 19-21** and **23-33** are cancelled.
- Claims **50-52** are newly added. No new matter has been introduced.

Accordingly, entry of the amendments is respectfully requested. Applicants intend to pursue the subject matter of the previously cancelled claims, in one or more continuing applications.

B. Reopening of Prosecution

By this paper, Applicants reopen prosecution and reply to the Final Action of November 21, 2008, and respectfully request reconsideration of the application. Applicants intend that the claims as now pending be interpreted under the ordinary interpretation understood in the art. Applicants hereby rescind, and no longer intend that the claims be limited by, any assertion, statement, argument, amendment or other action in this patent application, or any application whose file history is available for use in interpreting any patent issuing on this application, that might be taken to be a surrender or disclaimer of any subject matter from the scope of any claim. No such assertion, statement, argument, amendment or any other action in this application or in any such available application should be taken as a surrender or disclaimer from, and

may not be used to interpret, any claim of this patent, or any claim of any patent to which such Applicants' file histories may be pertinent.

Applicants hereby request that the Examiner re-visit any previous surrender, disclaimer or characterization of claims, and re-visit any prior art that may have been avoided or intended to be avoided by such surrender, disclaimer or characterization. In addition, a new search is requested.

C. Claim Objections

On page 2, the Examiner objected to claims 34-49 under 37 CFR 1.75(c), as being of improper dependent form. The objection is moot in light of the claim amendments.

D. Claim Rejections Under 35 U.S.C. § 112

On page 2, the Examiner rejected claims 1 and 15 because the phrase "a length of time" is allegedly indefinite. Claims 34-49 were rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As argued in the Appeal Brief, the Examiner has failed meet his *prima facie* burden of rejecting the claims as indefinite. Furthermore, the rejection is moot in light of the claim amendments.

E. Claim Rejections Under 35 U.S.C. § 103(a)

On page 3, the Examiner rejected claims 12-15, 17, 18, 21, 22 and 34-49 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,014,643 ("Minton") in view of U.S. Patent No. 6,606,744 ("Mikurak").

As argued in the Appeal Brief, the Examiner has failed meet his *prima facie* burden of obviousness for any of the rejected claims. Furthermore, the rejection is moot in light of the claim amendments.

F. Conclusion

Applicants hereby authorize the USPTO to communicate with any authorized representative concerning this application by electronic mail.

Applicants respectfully submit that the claims overcome the Examiner's rejections in the Final Action, and the claims are in condition for allowance. Applicants requests that the application be passed to issue in due course. The Examiner is urged to telephone the Applicants' undersigned attorney at the number noted below if it will advance the prosecution of this application, or with any suggestions to resolve any condition that would impede allowance.

Applicants' undersigned attorney can be reached at the address shown below. All communications should be directed to the undersigned at her direct line (857) 413-2056 or e-mail address: rma@cantor.com.

Respectfully submitted,

Date: June 1, 2010

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